



Reprinted  
February 8, 2007

## HOUSE BILL No. 1081

DIGEST OF HB 1081 (Updated February 7, 2007 4:11 pm - DI 87)

**Citations Affected:** IC 36-8.

**Synopsis:** Fire protection agreements. Provides that a city, town, county, or township that wants to discontinue receiving fire protection services through its own fire department or current provider of fire protection services may contract with a different provider for fire protection services only if the new provider has an Insurance Service Office Public Protection Classification that is equal to or higher than the classification of the fire department or current provider of fire protection services to the city, town, county, or township. Allows a city, town, county, or township to contract with an interim provider to receive fire protection services for a period of not more than six months: (1) after discontinuing receiving fire protection services through its own fire department or current provider; and (2) before receiving services from its new provider of fire protection services. Provides that an interim provider is not required to have an Insurance Service Office Public Protection Classification that is equal to or higher than the fire department or current provider of the city, town, county, or township.

**Effective:** July 1, 2007.

**Tincher**

January 8, 2007, read first time and referred to Committee on Government and Regulatory Reform.  
February 1, 2007, amended, reported — Do Pass.  
February 7, 2007, read second time, amended, ordered engrossed.

HB 1081—LS 6683/DI 87+



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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

## HOUSE BILL No. 1081

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A BILL FOR AN ACT to amend the Indiana Code concerning local government.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 36-8-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2007]:

4 **Chapter 2.5. Contract for Fire Protection Services**

5 **Sec. 1. This chapter applies to all units.**

6 **Sec. 2. As used in this chapter, "provider" refers to:**

7 (1) a nonprofit corporation that provides fire protection  
8 services to a unit; or

9 (2) a unit that provides fire protection services to another  
10 unit;

11 **under a contract.**

12 **Sec. 3. Except as provided in section 5 of this chapter, a unit**  
13 **may only discontinue receiving fire protection services through its**  
14 **own fire department and contract with a provider to receive fire**  
15 **protection services if the provider has an Insurance Service Office**  
16 **Public Protection Classification that is equal to or higher than the**  
17 **Insurance Service Office Public Protection Classification of the**

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unit's fire department.

Sec. 4. Except as provided in section 5 of this chapter, a unit may only discontinue receiving fire protection services through its current provider and contract with a different provider to receive fire protection services if the provider has an Insurance Service Office Public Protection Classification that is equal to or higher than the Insurance Service Office Public Protection Classification of the unit's current provider.

Sec. 5. (a) A unit may contract with an interim provider to receive fire protection services during a period of not more than six (6) months:

(1) after the unit discontinues receiving fire protection services from its own fire department and before the unit receives fire protection services from a provider that meets the requirements of section 3 of this chapter; and

(2) after the unit discontinues receiving fire protection services from its current provider and before the unit receives fire protection services from a provider that meets the requirements of section 4 of this chapter.

(b) An interim provider of fire protection services does not have to meet the Insurance Service Office Public Protection Classification requirements of section 3 or 4 of this chapter.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1081, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 3, after "is" insert "**equal to or**".

and when so amended that said bill do pass.

(Reference is to HB 1081 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 9, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1081 be amended to read as follows:

Page 1, delete lines 12 through 17, begin a new paragraph and insert:

**"Sec. 3. Except as provided in section 5 of this chapter, a unit may only discontinue receiving fire protection services through its own fire department and contract with a provider to receive fire protection services if the provider has an Insurance Service Office Public Protection Classification that is equal to or higher than the Insurance Service Office Public Protection Classification of the unit's fire department.**

**Sec. 4. Except as provided in section 5 of this chapter, a unit may only discontinue receiving fire protection services through its current provider and contract with a different provider to receive fire protection services if the provider has an Insurance Service Office Public Protection Classification that is equal to or higher than the Insurance Service Office Public Protection Classification of the unit's current provider.**

**Sec. 5. (a) A unit may contract with an interim provider to receive fire protection services during a period of not more than six (6) months:**

**(1) after the unit discontinues receiving fire protection services from its own fire department and before the unit receives fire protection services from a provider that meets the requirements of section 3 of this chapter; and**



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(2) after the unit discontinues receiving fire protection services from its current provider and before the unit receives fire protection services from a provider that meets the requirements of section 4 of this chapter.

(b) An interim provider of fire protection services does not have to meet the Insurance Service Office Public Protection Classification requirements of section 3 or 4 of this chapter."

Delete page 2.

(Reference is to HB 1081 as printed February 2, 2007.)

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